THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

WRIT PETITION No.12143 OF 2007

Dated 14-06-2007

Between:

Kota Ravi Krishna Murthy
and others

…Petitioners

And

The Sub-Registrar, Bheemunipatnam Village and others

…Respondents

THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

WRIT PETITION No.12143 OF 2007

ORDER:

Petitioners state that they have claim and right over the land in Sy.No.39 of Kothavalasa Village, Bheemunipatnam Mandal, Visakhapatnam District, and that there are pending disputes between themselves, on the one hand, and respondents 4 to 8, on the other hand. It is stated that the verification of the entries in the revenue records, in relation to the said land, is pending before the Tahsildar, Bheemunipatnam, the 2nd respondent herein. Their grievance is that, even while the verification is in progress, respondents 4 to 8 have presented certain documents before the 1st respondent, and the latter, in turn, is taking steps to admit the same to registration.

Sri K.V. Subrahmanya Narusu, learned counsel for the petitioners, submits that the dispute, between the petitioners and the respondents 4 to 8, attracts the provisions of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 (for short '*the Act*'), and in view of the same, no documents, for transfer of the land; can be entertained by the 1st respondent.

Learned Government Pleader for Revenue, on the other hand, submits that the 1st respondent cannot be expected to verify the title disputes, whenever any document is presented before him, and it is for

the petitioners to workout their remedies.

Obviously, at the instance of the petitioners, the 2nd respondent addressed a letter dated 15-05-2007, to the 1st respondent. Through this, he requested the 1st respondent not to take up any sale transaction for registration, in respect of the lands covered by Sy.No.39. The reason stated by him is that, verification of the genuinity of entries in revenue records was taken up by him. The 1st respondent promptly replied through his letter dated 16-05-2007, stating that he cannot refuse to register the document, except where the transactions attract specific statutory provisions, which were enlisted by him. This Court is of the view that the stand taken by the 1st respondent accords with the settled principles of law. However, this much needs to be observed, that the 1st respondent would be under obligation to ensure compliance with Section 6-D of the Act.

Hence, the writ petition is dismissed, however, by observing that the 1st respondent shall take into account the provisions of Section 6-D of the Act also, while dealing with the documents, in relation to the land in Sy.No.39 of Kothavalasa Village, Bheemunipatnam Mandal, Visakhapatnam District.

There shall be no order as to costs.

L. NARASIMHA REDDY, J.

Dt.14-06-2007.

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